

III. REMARKS

1. Claims 1-15 are pending.
2. Claims 1-15 are patentable under 35 USC 103(a) over Glorikian (US 6,343,317) and Heinonen et al. (US 6728530, hereinafter "Heinonen").

2a. Claim 1 recites a second data storage including external data. The combination of Glorikian and Heinonen do not disclose or suggest this feature.

It is asserted in the office action that Glorikian discloses this feature, however, there are no citations as to where the "second data storage" is disclosed in Glorikian. At best the office action appears to be equating the location system (73) of Glorikian with the "second data storage" of Applicant's claim 1. However, as argued in Applicant's prior response, the location system (73) is not the same as the "second data storage" recited in Applicant's claim 1. It is clear from the disclosure of Glorikian that the data obtained in Glorikian has not already been extracted from other sources and stored in a "second data storage" as called for in Applicant's claim 1 (i.e. "a second data storage including external data"). The secondary communication link to the location system (73) in Glorikian is merely used obtain data directly from the Internet (e.g. data server) through the server (13) or directly through the location system (73) itself. Nowhere is it disclosed in Glorikian that the server (13) stores any of the geographical information obtained from the Internet that is to be passed to the Internet appliance (71). It is also noted that the "external data" in Applicant's claims can be further analyzed when in the second data storage and the results may be stored in the "at least one remote data repository" (see page 8, lines 12-23 in Applicant's specification and claim 14 discussed below). Given the Examiner's admission that Glorikian does not disclose "at least one data repository" one cannot reasonably consider the data in Glorikian being "further analyzed" in the "second data storage" when there is absolutely no disclosure of the "second data storage" in Glorikian. All that is disclosed in Glorikian is a server (13) that

accesses information from the Internet, based on a geographical location, and passes that information to a user appliance nothing more.

Combining Glorikian with Heinonen does not remedy the above noted deficiency as it is noted that page 3 of the office action dated 25 June 2007 acknowledges that Heinonen does not disclose a second data storage including external data as recited in Applicant's claim 1. Therefore, any combination of Glorikian and Heinonen cannot disclose or suggest all of the features of Applicant's claims as neither reference discloses or suggest a "second data storage". Thus, claim 1 is patentable at least for this reason.

2b. Claim 1 further recites a first communicator adapted to retrieve from the remote data repository data including, an object and/or information extracted from an object, at least one predetermined criterion, defining a relationship between the retrieved data and the external data, an analyzer, adapted to analyze whether the relationship fulfills a predetermined condition, and a selector responsive to the analyzer, adapted to select data to be delivered to the mobile terminal when the condition is met. The combination of Glorikian and Heinonen do not disclose or suggest these features.

Again, it noted that the instant office action acknowledges that Glorikian does not disclose or suggest at least one remote data repository connected to a telecommunication system as recited in claim 1. Thus, there can be no disclosure or suggestion in Glorikian of any of the claimed features corresponding to retrieving, analyzing and selecting data or otherwise interacting with the remote data repository. It is asserted in the office action that the "communication link" between the Internet appliance (71) and the location system (73) discloses these features. However, all that is disclosed in Glorikian is a secondary receiver (77) that communicates with station (73) for triangulating the position of the appliance (71) (Col. 7, L. 59 – Col. 8, L. 20). Column 9, lines 18-56 of Glorikian merely discloses that the appliance (71) determines the local position and passes the position data to the Internet Service, which pulls info and pushes it to the client. There is absolutely no disclosure whatsoever in Glorikian of a

first communicator adapted to retrieve from the remote data repository data including, an object and/or information extracted from an object, at least one predetermined criterion, defining a relationship between the retrieved data and the external data (which is stored in the second data storage), an analyzer, adapted to analyze whether the relationship fulfills a predetermined condition, and a selector responsive to the analyzer, adapted to select data to be delivered to the mobile terminal when the condition is met. All that is disclosed in Glorikian is the use of position information from the Internet appliance (71) by the server (13) to obtain historical data (or other geographically based data) from the Internet. While the geographically based data in Glorikian is based on a geographical location of the Internet appliance (71) there is no disclosure or suggestion in Glorikian of "a predetermined criterion defining a relationship between" data retrieved from the server (13) and the data obtained from the Internet. All that is disclosed in Glorikian is that the "client profile" indicating "the nature of the laptop and connectability" is used to determine how much information is selected and how it is pushed to the appliance (see Col. 6, L. 40-55).

Combining Glorikian with Heinonen does not remedy the above deficiency. Again it is noted that the Examiner acknowledges that Heinonen does not disclose or suggest a first communicator adapted to retrieve from the remote data repository data including, an object and/or information extracted from an object, at least one predetermined criterion, defining a relationship between the retrieved data and the external data, an analyzer, adapted to analyze whether the relationship fulfills a predetermined condition, and a selector responsive to the analyzer, adapted to select data to be delivered to the mobile terminal when the condition is met as recited in claim 1 (See page 3 of the office action dated 25 June 2007).

Thus, claim 1 is patentable over the combination of Glorikian and Heinonen for this additional reason.

2c. It is further submitted that there is no motivation for one skilled in the art to combine Glorikian and Heinonen to arrive at what is claimed in Applicant's claim 1. Neither Glorikian nor Heinonen are concerned with the problem associated with and solved by Applicant's claims. Glorikian is directed to providing a user with historical data based on a user's location while Heinonen is directed to accessing calendar items. Neither Glorikian nor Heinonen provide mobile users with an enhanced method, system and apparatus for obtaining information based on personal data pertaining to the mobile user where the user is given the perception of using a system that has no system boundaries and virtually unlimited memory (See page 4 of Applicant's specification) as do Applicant's claims.

Moreover, as noted above, the combination of Glorikian and Heinonen does not disclose or suggest all the features of Applicant's claims. Thus, any assertion that one skilled in the art would combine Glorikian and Heinonen to arrive at, for example, the second data storage recited in Applicant's claims would be based on nothing more than speculation and hindsight.

Thus, claim 1 is patentable for this additional reason.

2d. Claims 6 and 10 are patentable over the combination of Glorikian and Heinonen for reasons that are substantially similar to those described above with respect to claim 1. Claims 2-5, 7-9 and 11-15 are patentable at least by reason of their respective dependencies.

2e. Claim 14 recites that external data retrieved from the second data storage is analyzed or handled and the results are stored in the at least one remote data repository. This feature is not disclosed or suggested by the combination of Glorikian and Heinonen. It is asserted that column 8, lines 16-26 and 38-45 of Glorikian disclose the features of claim 14. However, column 8, lines 16-26 and lines 38-45 merely describe how the position of the Internet appliance (71) is passed to the server (13)

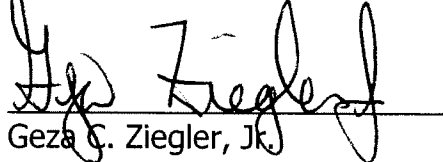
when the appliance (71) is located within an exhibition facility and nothing more. This cited section of Glorikian discloses that the host of the service provided by the server (13) maintains, with cooperation of the host of the exhibition facility, a database relating exhibits according to geographic and spatial position within the facility, and returns information to the appliance user relating to the various exhibits (Col. 8, L. 21-26). There is absolutely no disclosure or suggestion in Glorikian that "external data retrieved from the second data storage is analyzed or handled and the results are stored in the at least one remote data repository". Glorikian merely discloses a database relating exhibits to a geographical location is maintained and nothing more. Thus, claim 14 is patentable.

2f. Claim 15 recites that rules for selecting the data to be delivered are generated automatically or manually. Claim 15 calls for the user having an option as to how the delivered data is selected. There is no such option in Glorikian. Again column 8, lines 16-26 and lines 38-45 of Glorikian are cited as disclosing this feature. As described above, all that these cited sections of Glorikian disclose is that a database relating exhibits to a geographical location is maintained and nothing more. There is no disclosure in Glorikian that "rules for selecting the data to be delivered are generated automatically or manually".

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



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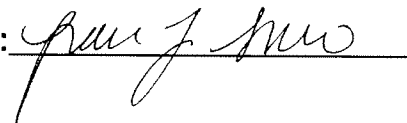
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